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CARTA á su Magestad del Virey de la Nueva España sobre conveniencia de no enviar expediciones particulares á tomar posesion y descubrir las provincias al norte de la Nueva España y tomando precausiones para lo que hace en este sentido Sebastian Vizcaino.

En carta de veinte de Diciembre cuyo duplicado yrá con esta havisé á vuestra magestad de la jornada que hallé cometida por cierta capitulacion y patente del Virey Don Luis de Velasco mi antecesor, á Sebastian Vizcaino para que por su cuenta y de ciertos mercaderes de aquí fuese á las Californias y que yendo é procediendo á la execucion me habia resultado ciertas dubdas de que daria cuenta á vuestra magestad quando pudiese decir juntamente la resolucion y asi lo haré en esta carta. Haviendo hecho asiento los años pasados con ciertos particulares que se ofrecieron de yr á las Californias á pescar perlas y tomar noticia de aquella tierra y comenzada la jornada no llegó á efecto por cierta quistion y deshucion que havia habido entre la gente que yba y su caudillo, el qual murió en esta ciudad pendiente cierto pleito criminal, ante los alcaldes, y por incidente el que se trató sobre el cumplimiento del asiento este se determinó y fué condenado Sebastian Vizcaino y otros que eran compañeros suyos á instancia del fiscal de vuestra magestad á que en conformidad del asiento hiciese dentro de tres meses la jornada y movido el virey por algunas causas que á ello le devieron inclinar por via de gracia, le concedió á peticion mia la entrada y pacificacion de las dichas Californias en conformidad de las ordenanzas qua ay de vuestra magestad con todas las onrras, gracias ejecuciones que se acostumbran hacer á los pacificadores y pobladores de nuevas provincias : en *oculma*¹ se trató commigo de este negocio en general por el virrey y por la parte como de resolucion tomada por asiento antiguo y confirmada por executoria de la sala del crimen á pedimento del fiscal y asi me pareció que no haver necesidad ni aun lugar de parar en cosa alguna desta materia para mas de tratar de executar lo acordado y asi venido aqui se comenzó

voyages and Ofiate's conquest are related—for in those ingeniously contrived tomes what is said on any subject is cut up and distributed through several volumes. These writers say—*History of the Pacific States*, V, 781—that Viceroy Velasco and Don Juan de Ofiate completed the arrangements for the conquest of New Mexico on the 24th August, 1595. In this letter of Viceroy Monterey he says that the contract was entered into while he was on his way from Vera Cruz to the capital, viz.: after the 18th September of that year.

1. So written in the original.

á levantar la gente y queriendo ver los papeles hallé que el auto y executoria caian solamente sobre lo que tocaba á la pesqueria de las perlas y no de ninguna manera sobre la entrada y pacificacion y reparar en ello, por parecerme que el sugeto de la persona, su calidad y caudal no es suficiente para una cosa que puede venir á ser tan grande y que requiere diferentes fuerzas y modo de proceder del que aora se presupone y juzga, pues aunque en materia de utilidad ; haciendose el viage á su costa y sin gasto alguno de vuestra magestad parece que se va á ganar y no á perder la esperanza de buen suceso por medio tan flaco es poco y mucho lo que se aventura no solo en la reputacion que se perderia con estas naciones de yndios si á este hombre y su gente deshiciesen los nataurales de aquella tierra, pero en lo principal que es la conciencia y autoridad de la real persona de vuestra magestad, me parece que se arriesga mucho en que una jornada que licitamente no puede ser de derecha conquista, sino de predicacion del evangelio y pacificacion y reduccion se encomienda por caudillo y cabo á un hombre de poca estofa y menos brio y capacidad para tan grande negocio, este dificultado me parecio comunicar al virrey Don Luis de Velasco y por lo que me escrivio, que fué con la prudencia que entiende y trata todas las cosas, no cesaron las rrazones del temor que yo tenia de los desordenes desta gente, y hallando perplexidad en el caso por los peligros que se descubrian en esto para la reputacion y para la conciencia y por las dificultades que tambien se presentaban conforme á justicia y conciencia en alterar lo tratado y quitarle á este hombre su jornada, en especial teniendo ya hechos gastos, lo hice ver á un teologo y jurista, de los que mejor parecer podian tener en esta dubda y habiendoles juntado fueron de acuerdo en la consecion del virrey tiene fuerza de asiento y contrato y que siendo al principio gracia, hera ya justicia y no padeciendo el capitán manifiesta incapacidad ó haviendo hecho delito no podia variarse ; la audiencia á quien di cuenta sintió lo mismo. Y visto esto y que aun mandarle por instruccion que solo descubriese y que suspendiese la entrada hasta dar cuenta les parecio contra justicia, segun el estado que el negocio tenia me resolví á no desvaratarle ni desaviar su jornada á Sebastian Vizcaino teniendo por cierto que lo que en esta parte fuera de justicia será de conciencia y que no puede ser de buen gobierno lo que va contra ella ; y porque he juzgado convenir al servicio de nuestro señor y de vuestra magestad que puesto havia de pasar adelante por hallarse ya hecha y encaminada la execucion de ello y no padecer este hombre defectos notorios que en derecho pueden escusar a vuestra magestad de

cumplir con él se le ayudase y diese calor para que la gente que á levantado y pretende embarcar que es muy razonable en número y calidad le estime y respete á él, lo he procurado quanto me ha sido posible y prevenido desde aora con honrarle yo aqui y darle autoridad al mayor peligro que anteveo y temo por donde yo no le digiera que es algun menosprecio y atrevimiento de parte de los soldados que lleva y que por este camino le venga á desobedecer y á seguirse dello mucha desorden, he apretado como puedo y debo hacer á que me dé memoria y satisfaccion acerca de los navios y lanchas que lleva y de los aparejos dellos y de la gente y vestimentos que para sustentarla á de embarcar y de las armas y municiones y otras cosas todo ello por sus generos y cantidades lo que á dado he mandado ver á personas platicas y les parece suficiente ; pero en el cumplimiento de lo que dice que embarcará consiste el llevar recado suficiente para que los religiosos que lleva franciscos puedan entrar seguros á la conversion y pacificacion y para poblar en gente aquella tierra sin que por evidente necesidad de comida ó otras cosas vayan á peligro notorio y claro de hacer violencias y robos á los naturales, asi he mandado á los oficiales reales de Acapulco que hagan registro muy puntual y riguroso de lo que á ofrecido llevar y no le consiente embarcar sin que vaya todo ello y para que se haga otro tanto en el puerto de Salagua de la provincia de Colima á donde endevera otra parte de su gente y de los generos que lleva me a parecido poner buen recado por no haver alli oficiales reales y ser tierra desviada y muy conviniente que no se fie esto y aun lo que en los primeros havisos podria saberse desta gente por aquella parte de qualesquiera personas y ministros de los nacidos aqui que por ventura seran obligados á los mercaderes que tienen á cargo esta jornada y á los que van en ella, y asi he enviado persona particular de confianza y de platica que a sido soldado y podra dar buena cuenta de lo que alli se ha de hacer y de la conducion de los soldados y castigo de los desordenes que hicieren por aquel camino en los pueblos de los yndios que como no acostumbrados al transito de la gente de guerra que suele yr á filipinas podran padecer y sentir mas travajo. Dios guarde á vuestra magestad Mexico 29 de febrero de 1596. El Conde de Monte Rey.

(Decreto del Consejo). Vista en 27 de Mayo de 1596 escribáse al Virrey que quite á este Sebastian Vizcaino esta conquista y descubrimiento y que avise á que otra persona se puede encomendar que la pueda hacer con mas satisfaccion y esperanza de buen suceso.

TRANSLATION.

A letter to His Majesty from the Viceroy of New Spain on the propriety of not sending private expeditions to take possession and make discoveries in the provinces to the northward of New Spain, and taking precautions against what Sebastian Vizcaino is doing in this respect.

In a letter of the 20th December, of which a duplicate will accompany this, I advised Your Majesty of the expedition which I found had been undertaken by virtue of the agreement made by my predecessor, Don Luis de Velasco, with Sebastian Vizcaino, and a permit to the effect that, on his account and that of certain traders of these parts, he might go to the Californias, and that in proceeding to the execution of the contract there had occurred to me certain doubts of which I would give account to Your Majesty when I should be able to mention them in connection with my resolution in the matter; this I shall do in this letter. In years past an agreement was made with certain individuals who offered to go to the Californias for the purpose of fishing for pearls and obtaining information concerning that country, and preparations for the expedition were made; but the undertaking resulted in nothing, because of a certain question and falling out arising between those who were about to take part in the expedition and their leader, who died in this city during the pendency before the judges of a certain criminal cause, in which the question of carrying out said agreement was involved incidentally. The matter was determined, and Sebastian Vizcaino, and others who were his partners, were condemned, at the instance of Your Majesty's prosecuting attorney, to begin the journey, in accordance with the agreement, within three months; and the Viceroy, influenced by certain motives inducing him to lean toward leniency, at my petition granted a concession for the entry and pacification of the said Californias, in conformity with existing ordinances of Your Majesty, with all the honors, favors and exemptions usually given to the pacifiers and settlers of new provinces. The Viceroy took counsel with me concerning this matter generally; and, seeing that there had been a former agreement which was confirmed by decree of the criminal court at the instance of the prosecuting officer, it

seemed to me for this reason that there was no necessity, or even room, for any decision in the matter other than that looking to an endeavor to carry out what had been agreed upon. So, this conclusion having been reached, recruiting for the expedition began; but I, on an examination of the papers in the case, found that the proceedings and decree had reference to the pearl fishery only and not at all to the entry and pacification of the land, and that a reconsideration was necessary; for, it seemed to me, with regard to the person, his quality and capital are not sufficient in connection with an enterprise which may come to be of such vast importance, and one requiring greater backing and a method of proceeding other than what is now thought and deemed sufficient; for, even looking at the matter from the utilitarian point of view, although he make the journey at his own cost and without any expense to Your Majesty, it seems to be of little moment whether he goes for gain and in order not to lose the chance of good fortune, but of great importance the hazarding of not only the repute which would be lost among these nations of Indians if the natives of that country should repel this man and his people, but—this is the principal thing involved—that of the conscience and authority of the royal person of Your Majesty. It appeared to me to be risking much if an expedition which cannot lawfully be one of direct conquest, but one of preaching the gospel and pacification, and of bringing the people into subjection to the crown, were entrusted to a man as leader and chief whose position is obscure and who has not, even in less degree, the resolution and capacity necessary for so great an enterprise. It seemed to me proper to communicate my opinion of these difficulties to Viceroy Don Luis de Velasco; and, judging from what he wrote to me on the subject, and he did so with the prudence marking his investigation and treatment of all things, the motives that I had for fearing some mishap occurring to these people did not fail to work upon his mind also. Being greatly perplexed in the consideration of this matter, because of the perils to repute and conscience which might result, as well as by the difficulty presenting itself as to conformity with justice and conscience in the alteration of a compact and taking away from this man his right to make the expedition, especially as he had been already at expense in the matter, he submitted the question to a theologian and a jurist, of the number of these whose opinions are entitled to greater consideration in doubtful cases of this nature; and these gentlemen, having taken counsel together, concurred in considering that the concession of the Viceroy had the force of an

agreement and contract ; that what was at first a favor had become his just due ; and that, as the captain manifested no incapacity and had been guilty of no offense, the compact could not be varied. The *audiencia*, to which I gave an account of this matter, was of like opinion. This being determined, and it appearing to that body to be contrary to justice even to give him instructions to make discoveries only and not to take possession before reporting those discoveries, I, in view of the length to which the affair had gone, resolved not to annul the contract nor to interfere with the expedition of Sebastian Vizcaino, holding it for certain that in this thing that which is justice is also a matter of good conscience, and that what contravenes this is not an indication of good government. And, because I have deemed it meet for the service of Our Lord and that of Your Majesty, inasmuch as it was necessary to go on with the affair since it had been begun and as this man does not possess notorious defects which can rightfully excuse Your Majesty from aiding and fomenting his undertaking, in order that the persons he has enlisted and intends to put on board ship, and who in number and condition make a reasonably good showing, may esteem and respect him, I have done all that lay in my power to show him honor while here and to clothe him with authority in view of the greater danger I foresee and fear on his account, though I would not say it to him—which is some lack of respect and an overbold bearing on the part of the soldiers whom he takes with him, so that in this way they may come to disobey his orders, all this giving rise to great disorder. I have insisted, as far as I could and ought to insist, that he should furnish me with a satisfactory memorandum concerning the ships and *lanchas* he intends to take with him, and their sails, tackle and the like, and the people and the necessary provisions for them he intends embarking, and the arms and ammunition, and other matters, all being inventoried in kind and by quantities. He has furnished this memorandum ; I have caused it to be examined by persons understanding such matters, and what has been provided appears to them to be sufficient. But, in order to fully carry out what he says he intends to do, it is essential that he take with him a complete provision of all things necessary, so that the Franciscan friars who will accompany him may undertake the conversion and pacification of those lands in safety, and that the lands be settled, without there being unavoidable lack of food and other things and consequent very great danger of doing violence to and robbing the natives, and I have ordered the royal officials at Acapulco to

make a very exact and rigorously careful minute of all that he has offered to take, and not to consent to his departure unless he take all with him. And I have ordered that the same thing be done at the port of Salagua, in the province of Colima, where he will take on board some of his people and a part of the things he is to take with him. It seemed to me well to take these precautions because there are no royal officials there and it is an out of the way place, and it is very proper that in this particular nothing be taken on trust, while it might even happen that the first tidings had of these people in that region would come from persons of no standing and agents of persons born here who may chance to be under obligations to the traders who have undertaken this expedition and to those actually taking part in it. Wherefore I have sent a private individual who is of my confidence, a man of experience who has been a soldier, and he will be able to give good account of what may be done there; and of the conduct of the soldiers, and the punishment inflicted upon them for any disorder of which they should be guilty along the road in the towns of the Indians, who, not being used to the transit through their country of troops such as are generally sent to the Philippines, might be subjected to suffering and injury. God guard Your Majesty. Mexico, 29th February, 1596.

THE CONDE DE MONTEREY.

(Decree of the Council). This communication having been taken under consideration on the 27th of May, 1596, let it be written to the Viceroy that he take from Sebastian Vizcaino the right to make this conquest and discovery, and that he report to what other person they can be entrusted, who may conduct the same more satisfactorily and with the hope of success.¹

1. In volume X of the historical works published by Mr. H. H. Bancroft a good deal of what is said in those volumes about the first and second voyages of Sebastian Vizcaino is related. Chap. VI of this volume treats of "Voyages to the Northwest," and the writer remarks: "These voyages treated in this chapter have already been put before the public many times in many forms, often with accuracy and completeness. Both individually and collectively they were in former years the subject of much more research than the inland annals of the same period, and later researches in the Spanish and Mexican archives have brought to light comparatively little new material." *History of the Pacific States*, X, 132. It seems to be apparent that, in the matter of Vizcaino's first voyage, no attempt was made to bring to light any new material to be found in the archives at Seville. Mr. Bancroft's writer says merely: "In 1594 Viceroy Velasco, probably by royal instructions, contracted with Sebastian Vizcaino to explore anew and occupy for Spain the Islas California. Velasco's successor, the Count of Monterey, ratified the contract and dispatched the expedition in 1597." *Id.*, X, 147. That the letter here published was unknown to that writer is sufficiently evident from the contents of the foot-note to be found on that same page:—
 " * * * * * Torquemada, followed apparently by all other writers, states that in 1596 the King ordered Viceroy Monterey to send Vizcaino to California, and that the expedition was made the same year. All the evidence I have to the contrary is a royal cédula of Aug. 2, 1628, [sic] in *Doc. Hist. Mex.*, series II, iii, 442-3, in which the King states the facts as I have given them, adding that Monterey ordered Vizcaino to fulfill his contract, 'no embarcante que en la sustancia y capacidad de su persona, halló algunos inconvenientes.' Mr. Bancroft's writers always are content with what Torquemada tells. In fact, in a foot-note at the end of this same Chap. VI, it is said that 'the standard authority for Vizcaino's voyage is Torquemada, *Mon. Ind.*'"